

With accountability and oversight, we created that school. I am proud to say those children are extremely happy. And some of them were able to go to Greece because of the generosity of the Greek Ambassador. Nothing could thrill me more than to see real progress being made in opening up new educational opportunities for children.

The charter school movement is healthy and underway, and it doesn't need our criticism and it doesn't need our undermining; it needs our support.

The other leg of that is the investment in public schools. The progress is slower but it is still substantial, as is true of all major cities struggling with this issue throughout the country. But any number of improvements have been made. Later on in the debate, that information will be spread on the RECORD. But those two legs of the investment are universally supported.

There are additional investments. Leave No Child Behind does not meet the full requirements to which the District is entitled, but at least it is a \$13 million increase to help the public school system meet the new accountability requirements and excellence that we seek in all of our schools when we are using public funds, and to help support charter schools.

The piece on the scholarship program sector, as I said, needs improvement. But because it is a three-sector approach and not just vouchers and take it or leave it, it is far superior to the House provision. With some adjustment, it could potentially receive votes of some Members on the Democratic side and have universal support on the Republican side. We will get to that later in the day.

Let me say in closing that the last 2 years have been unprecedented in the amount of discretionary Federal dollars that have gone to this city. Just this year alone, this budget reflects \$124 million over the President's request for the District of Columbia. That is a substantial amount. That reflects the confidence that is being built in this Congress in the leadership of this city and the willingness to step out on issues that can help this city be the great city it was intended to be, and it is well on its way to being—across the board, whether it is in health care, transportation, public services, education, et cetera.

Nobody deserves more credit as a group than the city leadership collectively. They have done a very good job working together in that regard.

I close, however, with a challenge that Senator DEWINE and I are faced with this year; that is, the landmark report that this city faces a structural deficit of \$400 billion to \$401 billion between their revenue capacity and their cost of providing services. This report was done by an objective agency. It was conducted by the GAO at the request of Congresswoman NORTON and myself and others to really look at the structural deficit, if there were such a thing as a structural deficit, even

though the city is in surplus, even though they are moving in the right direction by streamlining their operations. If you look at the path for the next year or two, there are dark clouds on the horizon. We want to basically know what the reason is for those dark clouds. Is it something that is under the control of the city or the Congress to fix?

I will paraphrase the study and will submit it for the RECORD.

While the city could continue to adjust and streamline its practices and make sure that fraud and abuse are taken out of the system, there is in fact a structural imbalance. Even if they did that perfectly—and no city does—they still would have a structural imbalance because their tax base is strained to almost a breaking point. That means their sales taxes are high, their property taxes are high, their fees are high. To continue to go back to the residents of the District and ask them to contribute more would be detrimental to the economic growth and vitality of this city.

We have in this bill a marker—basically a \$3 million Federal share to contribute to the infrastructure, which is a small but I think substantial marker that the chairman and I are willing to lay down to say we understand there is a structural deficit, that we don't have the money right now to fix it, and that we are not even sure how to fix it nor have the answer but recognize there is one. Hopefully, that will be the subject of future hearings to help the city of Washington be the best city and the symbol for the Nation.

Finally, let me summarize. As the chairman said, this bill also includes \$172 million for the operation of the DC courts, an \$8 million increase over the President's request. We talked about that. There are certain things for which we are directly responsible. One of them is the Court Services and Offender Supervision Agency. I am very proud that the chairman has gotten that ratio down from 40 to 1 to 25 to 1, which will help. I again commend the Washington Post for their excellent series that helped to call our attention to this glaring and terrible problem. It is a tragedy that exists in the District. More work needs to be done.

But this bill and what it represents I think is a significant compliment to the city and its leadership. The considerable investment in the future for the residents of the District is something of which our people around the Nation can be proud.

I urge our colleagues as we move into the afternoon and the debate regarding education that we attempt to fill this Chamber with light and heat because this issue, the children who depend on our deliberations, their families, and the taxpayers deserve no less.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEWINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

RECESS

Mr. DEWINE. Madam President, I ask unanimous consent that the Senate stand in recess until 1 p.m.

There being no objection, the Senate, at 12:10 p.m., recessed until 1:01 p.m. and reassembled when called to order by the Presiding Officer (Mr. HAGEL).

The PRESIDING OFFICER. The Senator from Ohio.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2004—Continued

Mr. DEWINE. Mr. President, as we proceed with the District of Columbia appropriations bill, I again thank Senator LANDRIEU for her great work on this bill. We will be proceeding later on today on the issue of the District of Columbia vouchers. I thank Senator LANDRIEU for her contribution to this discussion.

We are working on some possible amendments, but I wish to take this moment, if I can, to also thank Senator FEINSTEIN for her contribution to that section of the bill. As I have stated publicly in the past—I said it yesterday in a press conference—that section of the bill which has to do with vouchers, the scholarship section was significantly improved because of what my colleague from California, Senator FEINSTEIN, contributed to the bill.

She came to me and Senator GREGG and said: I have some suggestions; I have some changes; I have some ideas that I think need to be in this bill to improve the bill, to bring more accountability; to ensure the bill's constitutionality; and also to make sure that the Mayor of the city of Washington is much more directly involved in running this scholarship program.

We took those suggestions from Senator FEINSTEIN. She drafted sections of the bill, and we incorporated them in the bill. Those changes are now in the bill that is now before the Senate. I appreciate very much her work.

I yield, without losing my right to the floor, for a question from Senator LANDRIEU.

Ms. LANDRIEU. Mr. President, I thank the Senator for his comments. He is correct that there have been some improvements made to this section of the bill, but it remains a work still in progress. There are many Members on the Democratic side and some Members on the Republican side who are still not comfortable with the language. There are some who are absolutely opposed to the underlying concept of private school vouchers or scholarships.

I thank the chairman for remaining open and working on some amendments and language. That is taking

place at this time. We will proceed with the debate later in the afternoon.

Mr. DEWINE. Mr. President, I take back my time. I look forward to working with Senator LANDRIEU to try to accommodate the concerns she has. I know she is well intentioned, certainly dedicated to the children of the District of Columbia, as I talked about earlier today.

I believe the bill before us is a good bill. I believe the scholarship program before us is a good scholarship program. I believe it is clearly constitutional. I believe it is a good program in the sense, as I discussed earlier this morning, that it is value-added. It is a balanced program. It is a program that provides a third of the money for scholarships for the children, \$13 million. This is all new money, \$13 million new money for the District of Columbia schools, and \$13 million additional money for charter schools. It is a three-pronged approach, a very balanced program. I think the language is good language. The bill before us is a good bill.

In deference to my colleague, with whom I have worked so very closely on this bill over the last few years, certainly we can take some more time to see if it is possible to reach any kind of compromise or accommodation with regard to any additional language that would satisfy her. I am more than happy to take some time to try to do that. I do believe we have a good bill right now. It is a bill that I think is good for the children of the District of Columbia.

Mr. WARNER. Mr. President, I rise today in support of the limited private school choice provisions in the District of Columbia Appropriations bill.

As you know, private school choice, also commonly known as a voucher, refers to the use of public money to allow a limited number of students to attend a K-12 private school.

As a strong supporter of our Nation's public schools, I certainly appreciate the views of those who believe that public money should be used to improve only public schools.

However, as a member of the Senate's Education Committee, I also strongly believe that if our educational system is to improve, as needed, we cannot remain stuck in the status-quo. We must look for innovative ways to improve our schools. While providing additional money into an educational system can help—money alone is never enough.

I commend the Mayor of Washington, DC—Mayor Anthony Williams—who along with others have all come together in support of an innovative idea to improve the educational system in the District of Columbia: an infusion of money into the public school system along with a limited private school choice option for the District of Columbia.

How fortunate we are to have the leadership of Mayor Williams in the District of Columbia.

The legislation before us does just what Mayor Williams has requested. It adds an additional \$40 million in education spending in the District. \$27 million of that \$40 million will go to the District's public schools and charter schools. The remaining \$13 million will be used for the limited private school choice option provided in this bill.

And while some may be critical of spending \$13 million on private school choice, I believe it is important to view this money in the context of other education spending.

In comparison to the \$13 million we will spend in this bill on private school choice, the Federal Government currently spends about \$12.5 billion on the Pell Grant program. And as we all know, the Pell Grant Program provides grants to students to help them afford the cost of tuition at an institution of higher learning, regardless of whether the institution is a public or private one.

Similarly, the proposal before us today will allow certain low-income students in the District to attend private K-12 school.

More specifically, the school choice provisions in this legislation will provide scholarships of up to \$7,500 to allow 2,000 low-income students the opportunity to attend private school.

These scholarships will be sufficient in dollar amount to cover the cost of tuition at approximately two-thirds of the private schools in the District. It is my hope that the remaining one-third of private schools in the District, whose tuition is more expensive than \$7,500 a year, will consider making special exceptions to also open their doors to the low-income students in the District who are scholarship recipients.

In my view, the proposal supported by Mayor Williams and put forth in this legislation is a win-win situation. The school system gets more money and low-income students are given a unique educational opportunity.

Over 50 years ago, I was given a similarly unique opportunity to obtain a quality education as I was a recipient of the GI bill. The education that I was fortunate enough to receive as a result of the GI bill has allowed me to achieve most of the dreams to which I have aspired. Without the GI bill, I certainly would not be standing here today.

Similarly, the private school choice proposal before the Senate today will provide certain students in the District with an opportunity to receive a strong education. And, along with that education, these scholarships will provide these students the same opportunity I had to achieve my goals in life.

I commend the work and leadership of the chairman, Senator DEWINE, my colleague in the Virginia congressional delegation, TOM DAVIS, Mayor Anthony Williams, the local media, and other philanthropists and community leaders who have worked closely together in support of this private school choice initiative.

It is my intention to support this limited private school choice initia-

tive, and I urge my colleagues to do the same.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DEWINE. Mr. President, I ask unanimous consent that the Senate be in a period for morning business until 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEWINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. DOLE). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. DEWINE. Madam President, I ask unanimous consent that the Senate remain in morning business until 3 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Thank you very much, Madam President.

DO NOT CALL REGISTRY

Mrs. FEINSTEIN. Madam President, I come to the floor because I have just learned of a decision made by an Oklahoma district judge that the National Do-Not-Call registry is invalid. This is amazing to me.

This is the result, apparently, of a lawsuit filed by the Direct Marketing Association, U.S. Security, Chartered Benefit Services, Global Contact Services, and in InfoCision Management Corporation challenging the Federal Trade Commission's authority to implement the wishes of millions of